



10. PROPERTY MANAGEMENT

Policy 10.13

REMOVAL OF TREES FROM PUBLIC LAND

Version 4

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OBJECTIVE:

This policy provides a consistent approach to proposals to remove trees on public land through standard inspection and maintenance regimes and customer requests. It includes street trees, parks and reserves and any land in the ownership of Council.

POLICY:

1. A person shall not remove a tree (or part thereof) on public land without the written consent of Council.
2. The tree(s) proposed for removal shall be inspected by Council's Building and Recreation Facilities Manager or Recreation Works Coordinator to determine the impact on adjacent infrastructure, assess horticultural amenity, tree health, significance and whether part of a theme.
3. Council may engage a qualified Arborist to provide an opinion on the health of the tree, particularly if there is a suspicion that if no action is taken then a health and safety issue may arise. (*NB: Health and safety in this sense does not include alleged health impacts of certain species in relation to issues such as allergies and respiratory illness. Instead, health and safety refers to a potential hazard posed by the tree.*)
4. If the tree is part of a theme, and no imminent issues of impact on local infrastructure or health and safety are identified, the tree will not be considered for removal.
5. If the tree is determined to be a significant tree (due to species or status, or horticultural amenity), and no imminent issues of impact on adjacent infrastructure or health and safety are identified, the tree will not be considered for removal.
6. Where a tree is alleged or considered to be unhealthy, unsafe or causing undue damage to surrounding infrastructure (regardless of significance or theme), the tree may be considered for removal.
7. In instances where it is alleged that the tree(s) have an impact on a person's health in terms of an allergy or respiratory condition then this must be supported by a letter from a qualified medical practitioner. Removal of the tree(s) will still not be supported if the trees are significant. If removal is contemplated wholly for the reason of impact on a person by way of allergy or respiratory condition then any cost of removal and replacement shall be borne by the person(s) requesting the removal.
8. In instances where it is alleged that the tree has damaged public or private property and the Building and Recreation Facilities Manager or Recreation Works Coordinator, with no admission of liability, believes this has merit, then Council may take action (e.g. installation of root barriers or otherwise) to ameliorate that impact. If removal is contemplated, then the procedures outlined in this Policy shall apply.

9. Council shall not pay any claim for compensation for any damage to private property alleged to be caused by a tree on public land.
10. In all instances, unless practical reasons dictate otherwise, all restorative or preventative measures must be considered to reduce the negative impact and maximise potential of retaining the tree, prior to considering removal.
11. In all instances, unless practical reasons dictate otherwise, any tree removed will be replaced (in the same location or nearby) by one of the same species or one of a more appropriate species with regard to impact, maintenance or amenity.
12. Where a street tree is to be removed or replaced, affected stakeholders will be notified and consulted during the planning stage. Where a tree is proposed for removal without replacement, the matter will be referred to the Operations Committee for consultation.
13. Where a tree is removed without permission, that person or persons at fault may be held liable for the value of the tree.

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